

Appl. No.: 09/773,629
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Art Unit: 2624
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REMARKS

Claims 1-12 are pending in this application. Claims 1, 5 and 9 are independent claims.

By this amendment, claims 1-12 are amended for clarity to correct minor informalities contained therein without narrowing the scope thereof, and claim 13 is canceled without prejudice or disclaimer thereto. Reconsideration in view of the above amendments and following remarks is respectfully solicited.

The Claims Satisfy The Requirements Of
35 U.S.C. §112, 2nd Paragraph

The Office Action reject claims 1-13 under 35 U.S.C. §112, 2nd paragraph. This rejection is respectfully traversed.

Applicant respectfully submits that the amendments to claim 1-12 obviates the rejection of claim 1-12 under 35 U.S.C. §112, 2nd paragraph. In particular, in the amended claim 1-12 the recitation "predetermined" is deleted. Accordingly, withdrawal of the rejection of claims 1-13 under 35 U.S.C. §112, 2nd paragraph is respectfully solicited.

Election/Restriction Requirement

The Examiner has indicated that the limitations in claim 13 are different from and distinguished with claims 1, 5 and 9, and has thus suggested that claim 13 be cancelled.

For the purpose of examination of the present application, Applicant cancels, with traverse, claim 13.

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Applicant retains the right to file a divisional application for claim 13.

Conclusion

In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.


Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Carolyn T. Baumgardner (Reg. No. 41,345) at (703) 205-8000 to schedule a Personal Interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment from or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, the extension of time fees.

Respectfully submitted,
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